

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

v.

CHARLES L. BURR,

Defendant.

8:19CR101

ORDER

This matter is before the Court on defendant Charles Burr's ("Burr") pro se Motion for Reconsideration (Filing No. 142) of this Court's April 22, 2022 Order (Filing No. 141).

On September 14, 2020, Burr was sentenced to an agreed-upon term of imprisonment, *see* Fed. R. Crim. P. 11(c)(1)(C), to a term of 204 months. Pursuant to that Rule 11(c)(1)(C) agreement, the sentence imposed was 156 months less than the low end of the guidelines range.

The presiding judge, the late Honorable Laurie Smith Camp *recommended* in the Judgment in a Criminal Case (Filing No. 134) that Burr receive credit for time served since September 15, 2018, at which time he was incarcerated due to a state-related offense in Morgan County, Colorado. But Burr did not come into federal custody until February 20, 2020.

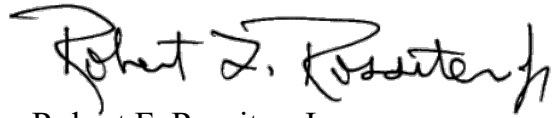
Burr posits that Judge Smith Camp "intended" to apply a downward departure under the United States Sentencing Guidelines § 5G1.3. There is nothing in the record indicating that Judge Smith Camp intended to apply this departure. Indeed, there is nothing in the judgment or in the Statement of Reasons (Filing 135) supporting Burr's claim.

Accordingly, Burr's Motion for Reconsideration (Filing No. 142) is denied.

IT IS SO ORDERED.

Dated this 5th day of July 2022.

BY THE COURT:

A handwritten signature in black ink, reading "Robert F. Rossiter, Jr." with a stylized flourish at the end.

Robert F. Rossiter, Jr.
Chief United States District Judge